

IN RE: PETITION FOR ADMIN. VARIANCE
NE/Corner Bauernschmidt Drive
and Riverside Drive
(2213 Bauernschmidt Drive)
15th Election District
5th Councilmanic District

Albert A. Fischer, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-380-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 2213 Bauernschmidt Drive, located in the vicinity of Riverside Drive in Essex. The Petition was filed by the owners of the property, Albert A. and Brenda E. Fischer. The Petitioners seek relief from Section 1B01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 20 feet in lieu of the maximum permitted 15 feet for a proposed 30' x 30' garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the

ORDER RECEIVED FOR FILING

Date

By

11/19/97

B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.). Therefore, the relief granted herein shall be conditioned upon Petitioner's compliance with DEPRM's recommendations upon completion of their review.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

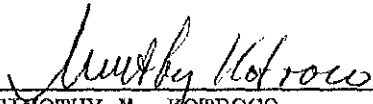
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of April, 1997 that the Petition for Administrative Variance seeking relief from Section 1B01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 20 feet in lieu of the maximum permitted 15 feet for a proposed 30' x 30' garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with any recommendations made by DEPRM upon completion of their review of this proposal.
- 3) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

DATE
4/9/97
BY
[Signature]

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

4/9/97

By





Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 9, 1997

Mr. & Mrs. Albert A. Fischer
2213 Bauernschmidt Drive
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/Corner Bauernschmidt Drive and Riverside Drive
(2213 Bauernschmidt Drive)
15th Election District - 5th Councilmanic District
Albert A. Fischer, et ux - Petitioners
Case No. 97-380-A

Dear Mr. & Mrs. Fischer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM
People's Counsel
Case File



CRITICAL
AREA



Petition for Administrative Variance

97-380-A

to the Zoning Commissioner of Baltimore County

for the property located at

2213 Bauernschmidt Drive
which is presently zoned DR 5.5
3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) To allow for a 20' high garage in lieu of the 15' allowed.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) the added elevation is to allow for a second floor for storage as the home does not have enough storage space.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Albert A. Fischer
(Type or Print Name)

Signature

Albert A. Fischer
Signature

Address

Brenda E. Fischer
(Type or Print Name)

City State Zipcode

Brenda E. Fischer
Signature

Attorney for Petitioner:

TEL 574-3067

(Type or Print Name)

2213 Bauernschmidt Drive
Address Phone No

Signature

Baltimore, Md 21221
City State Zipcode
Name, Address and phone number of representative to be contacted

Address Phone No

Thomas E. Phelps & Assoc., Inc.
Name

City State Zipcode

945 Barron Ave (410) 574 6744
Address Phone No
Baltimore, Md. 21221

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: RT. DATE: 3-11-97
ESTIMATED POSTING DATE: 3-23-97



Printed with Soybean Ink
on Recycled Paper

ITEM # 380

MICROFILMED

ORDER RECEIVED FOR FILING
4/10/97
Date

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2213 Bauernschmidt Drive
address

Baltimore MD. 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

We are requesting a variance to the height of the garage that
is planned off our property due to the lack of storage space in
our home. We are asking that the planned garage be allowed to be
20' high instead of 15' as allowed by county regulations.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

x Albert A. Fischer
(signature)

Albert A. Fischer
(type or print name)



x Brenda E. Fischer
(signature)

Brenda E. Fischer
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10 day of March, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Albert & Brenda Fischer

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

March 10, 1997
date



Dorothy D. R. Phelps
NOTARY PUBLIC

My Commission Expires:

May 1, 1998

EXAMPLE 3 - Zoning Description

ITEM 380

97-380-A

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2213 BAUERNSCHMIDT DR,
(address)

Beginning at a point on the NORTH EAST COR. side of
(north, south, east or west)

BAUERSCHMIDT & RIVERSIDE DR which is 50 FT
name of street on which property fronts (number of feet of right-of-way width)

wide at the distance of _____ of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street _____
(name of street)

which is _____ wide. *Being Lot # 91 & 92
(number of feet of right-of-way width)

Block F --, Section _____ in the subdivision of _____
(name of subdivision)

as recorded in Baltimore County Plat Book # 12, Folio # 81,

containing 18,396 Also known as 2213 BAUERNSCHMIDT DR
(square feet or ~~area~~) (property address)

and located in the 15 Election District, 5 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 028561

97-380-A

DATE 3-11-97

ACCOUNT

R-001-6150

C/O - ADM. VAR.

AMOUNT \$

50 00

RECEIVED
FROM:

ALBERT FISCHER

FOR:

ADM. VAR. 2213 BAVERNECHMID

97-380 A

0369180310MICHR

\$50.00

BA 0010:10AM03-11-97

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

17-380-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 380 Petitioner: Albert Fischer

Location: 2213 Bauernschmidt Drive Baltimore Md 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Albert Fischer

ADDRESS: 2213 Bauernschmidt Drive Baltimore, Md. 21221

PHONE NUMBER: 574 3067



CERTIFICATE OF POSTING

ADMIN. VAR.

RE: Case No.: 97-380-A

Petitioner/Developer: FISCHER, ETAL
TOM PHELPS, ETAL

Date of Hearing/Closing: 4/7/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #2213 BAUERNSCHMIDT DR.

The sign(s) were posted on

3/23/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe, 3/24/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

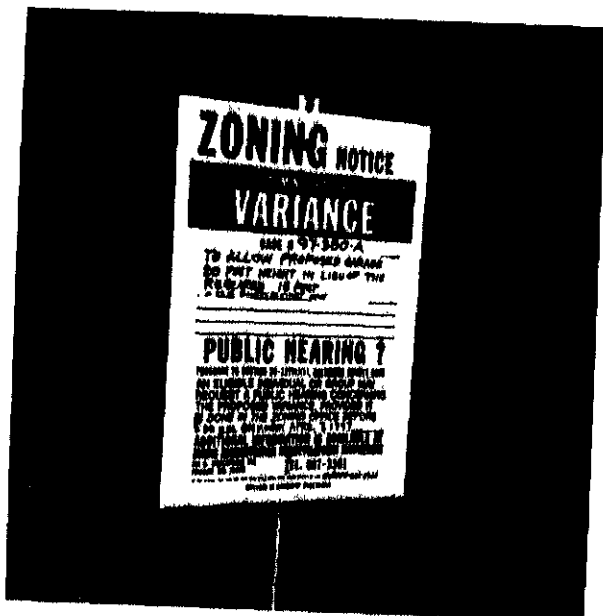
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

Pager (410) 646-8354

(Telephone Number)



#2213 BAUERNSCHMIDT RD,
ADMIN. - CASE 97-380-A

P- 3/23/97

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3-23-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-380 A

To allow proposed garage 20 FT. high
in lieu of the required 15 FT.

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

4-7-97

**ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391**

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-380-A

March 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-380-A
2213 Bauernschmidt Drive
NEC Bauernschmidt and Riverside Drive
15th Election District - 5th Councilmanic
Legal Owner(s): Albert A. Fischer and Brenda E. Fischer
Post by Date: 3/23/97
Closing Date: 04/07/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Albert and Brenda Fischer
Thomas E. Phelps & Association, Inc.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1997

Mr. and Mrs. Albert Fischer
2213 Bauernschmidt Drive
Baltimore, MD 21221

RE: Item No.: 380
Case No.: 97-380-A
Petitioner: Albert Fischer, et ux

Dear Mr. and Mrs. Fischer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 11, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-21-97
Item No. 380 RT

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

L. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 21, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 378, 380, 381, 382, 383, 385, 386, 391, and 392

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kern

PK/JL

B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 31, 1997

FROM: *RWB* Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for March 31, 1997
 Item Nos. 378, 379, (380), 381, 382, 383, 384, 385, 386, 387 & 391

 The Development Plans Review Division has reviewed the subject
zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE331.NOC

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

March 31, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP--1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 24, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

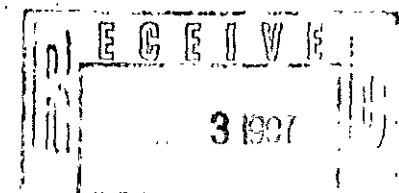
8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

380, 381, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



PETITION PROBLEMS

97-380-A

#378 --- MJK

1. Sign form is incomplete/incorrect.

#379 --- JLL

1. Sign form is incomplete/incorrect.

#380 --- RT

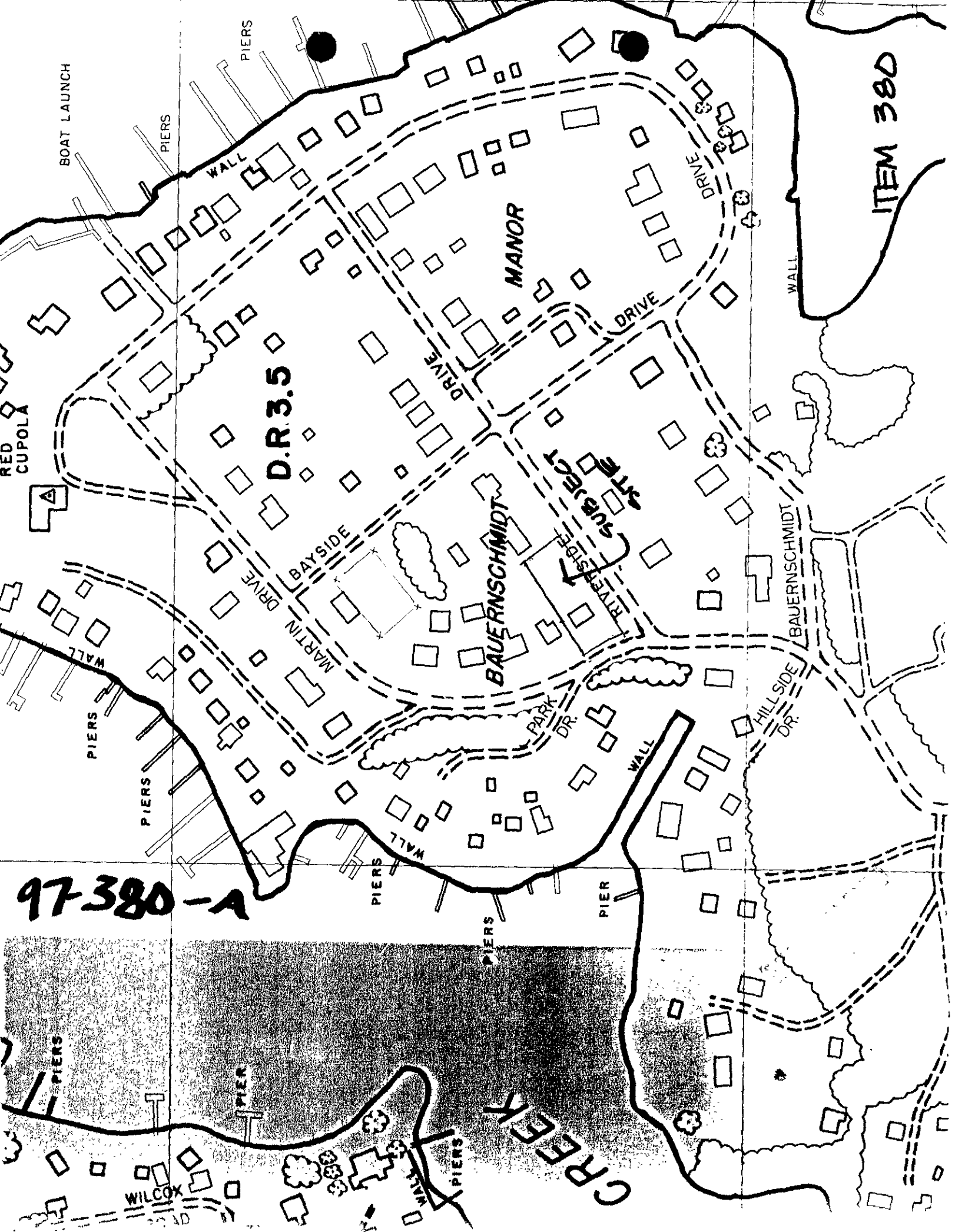
1. Folder says zoning is D.R.-3.5; petition says zoning is D.R.-5.5 -- Which is correct?

#382 --- CAM

1. Need printed or typed title and authorization of person signing for legal owner.
2. Need printed name and title and authorization of person signing for contract purchaser.
3. No review information on bottom of petition form.

#385 --- MJK

1. Sign form is incomplete/incorrect.
2. No description on folder.
3. No zoning on folder.
4. No acreage on folder.
5. No election district on folder.
6. No councilmanic district on folder.
7. Plan is illegible.



ITEM 380

D.R. 3.5

MANOR

BAUERNSCHMIDT

SUBS

PARK DR.

HILLSIDE DR.

BAUERNSCHMIDT

BAYSIDE

MARTIN DRIVE

WALL

WALL

WALL

PIERS

PIERS

BOAT LAUNCH

RED CUPOLA

97380-A

CREEK

WILCOX

PIERS

PIER

PIERS

PIER

PIERS

PIERS

PIERS

PIERS

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

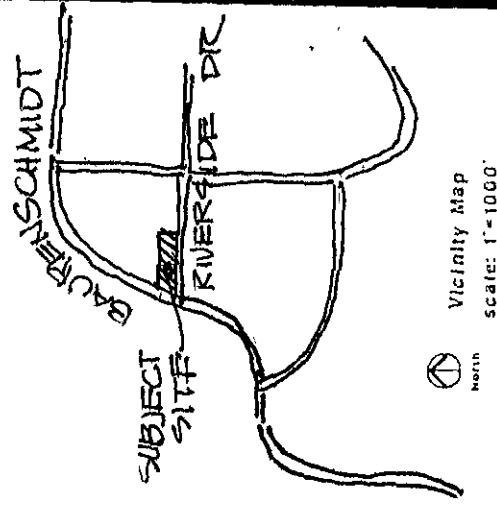
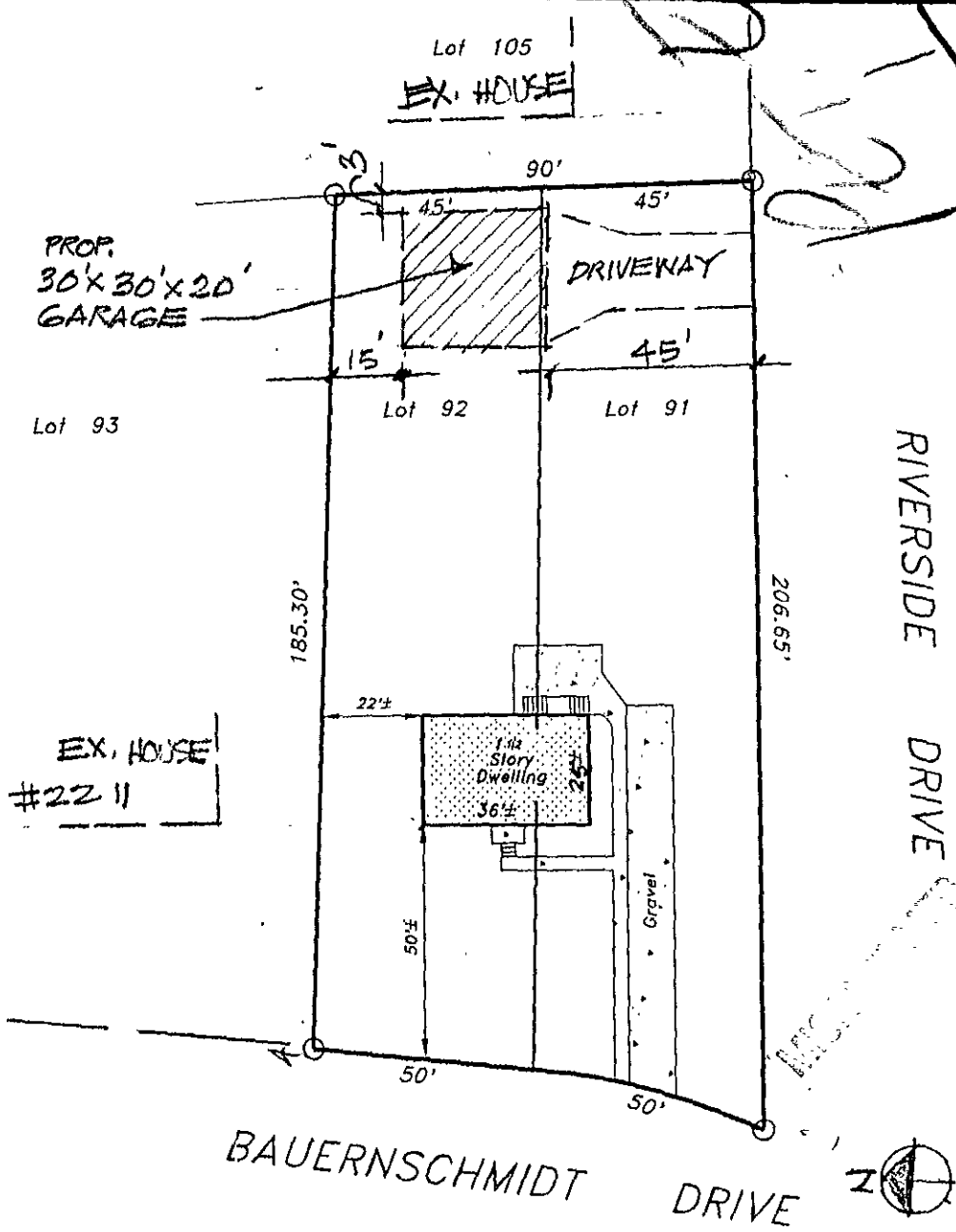
PROPERTY ADDRESS: **2213 BAUERNSCHMIDT** see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: **BAUERNSCHMIDT**

[plat book # **12**, folio # **18**, lot # **91/2** section #

OWNER: **ALBERT A. FISCHER**

97-380-A



LOCATION INFORMATION

Elect. Dist. **15**
Councilmanic District **5**

1"=200 scale map. **NE 1-J**

Zoning **DR 3.5**

Lot size: **0.42** acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☒ YES ☐ NO

Prior Zoning Hearings: **NONE**

Zoning Office USE ONLY!

reviewed by: **R.T.** ITEM #: **380** CASE #:

Scale of Drawing: 1"= **40**

prepared by: **T.P.**

date: **3-1-97**

North



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: _____

Petitioner: _____

Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

AJ:ggs

(Revised 09/24/96)

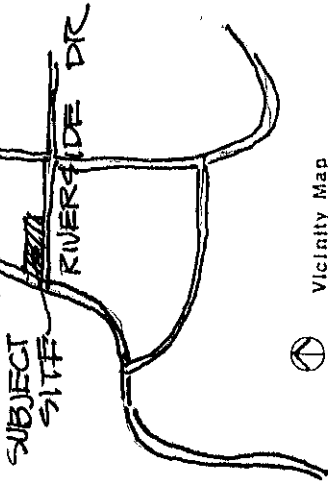
☐ Special Hearing

PROPERTY ADDRESS: 2213 BAUBKN SCHMIDT

plat book # 12, folio # 18, lot # 9192 action #

ALBERT A. FISCHER

SCHMIDT



North
Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 15
Counselling District: 5

1-206 scale map. NW 1-5

50902 DR 3.5

Lot size: 0.42 acreage
100 square feet

Sewer: ☒ YES ☐ NO
 Water: ☒ YES ☐ NO
 Chesapeake Bay Critical Area: ☒ YES ☐ NO
 Prior Zoning Hearings: ~~NONE~~

Zoning Office USE ONLY:

reviewed by:	ITEM #:	CASE#:

R.T. 380

Scale of Drawing: 1" = 40

date: 2-11-47
prepared by: T.P.

North

date: 3-11-97

prepared by:

97-380-A



EAST ON RIVERSIDE

97-380-A



SUBJECT PROPERTY

FRONT 97-380-A



NORTH ON BADERNSCHMIDT

97-380-A



SUBJECT REAR YARD

97-380-A



BALTIMORE COUNTY 97-380-A
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	BACK RIVER NECK	N.E.
DATE OF PHOTOGRAPHY	CAPE MAY	1-J
JANUARY 1966	ITEM # 280	PHOTOGRAPHED

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

17-380-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 380 Petitioner: Albert Fischer
Location: 2213 Bauernschmidt Drive Baltimore Md 21221
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Albert Fischer
ADDRESS: 2213 Bauernschmidt Drive Baltimore, Md. 21221
PHONE NUMBER: 574 3067

CERTIFICATE OF POSTING

ADMIN. VAR.
RE: Case No.: 97-380-A
Petitioner/Developer: FISCHER, ETAL
Date of Hearing/Closing: 4/7/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #2213 BAUERNSCHMIDT DR.

The sign(s) were posted on 3/23/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

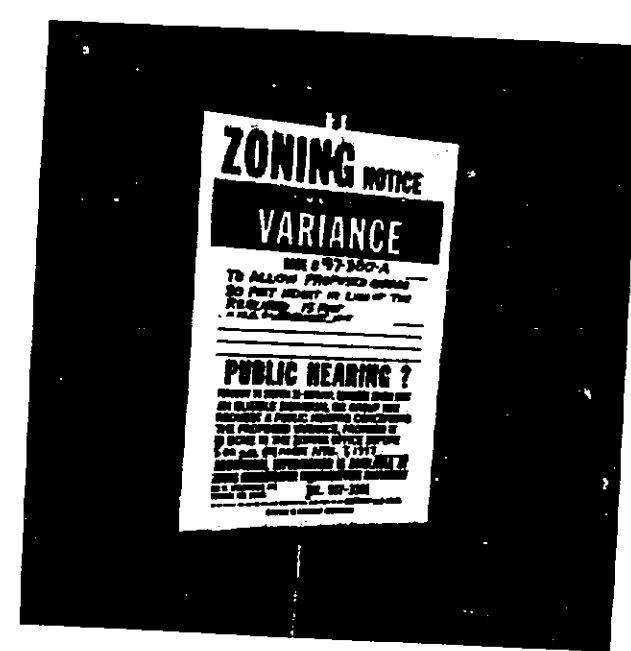
523 Penny Lane

(Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366 Pager (410) 646-8354
(Telephone Number)



#2213 BAUERNSCHMIDT DR.
ADMIN. - CASE 97-380-A
P. 3/23/97

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3-28-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-380 A

To allow proposed garage 20 FT. high
in lieu of the required 15 FT.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON
4-7-97

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-380-A

March 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-380-A
2213 Bauernschmidt Drive
NEC Bauernschmidt and Riverside Drive
15th Election District - 5th Councilmanic
Legal Owner(s): Albert A. Fischer and Brenda E. Fischer
Post by Date: 3/23/97
Closing Date: 04/07/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Arnold Jablon
Director

cc: Albert and Brenda Fischer
Thomas E. Phelps & Associates, Inc.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1997

Mr. and Mrs. Albert Fischer
2213 Bauernschmidt Drive
Baltimore, MD 21221

RE: Item No.: 380
Case No.: 97-380-A
Petitioner: Albert Fischer, et ux

Dear Mr. and Mrs. Fischer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 11, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Subanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards Jr.

W. Carl Richards Jr.
Zoning Supervisor

WCR/jc
Attachment(s)



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Subanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-21-97
Item No. 380 RT

Dear Ms. Subanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns
Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Individuals with Disabilities
1-800-735-2268
Mailing Address: P.O. Box 711, Baltimore, Maryland 21204
Street Address: 707 North Calvert Street, Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 21, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 378, 380, 381, 382, 383, 385, 386, 391, and 392

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Pat Keller

PK/JL

ITEMS 378/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 31, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 31, 1997
Item Nos. 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 & 391

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE331.NOC

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

March 31, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 24, 1997

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

380, 381, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392

REVIEWER: LT. ROBERT P. BAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File



PETITION PROBLEMS

97-380-A

#378 --- MJK

1. Sign form is incomplete/incorrect.

#379 --- JLL

1. Sign form is incomplete/incorrect.

#380 --- RT

1. Folder says zoning is D.R.-3.5; petition says zoning is D.R.-5.5 - Which is correct?

#382 --- CAM

1. Need printed or typed title and authorization of person signing for legal owner.
2. Need printed name and title and authorization of person signing for contract purchaser.
3. No review information on bottom of petition form.

#385 --- MJK

1. Sign form is incomplete/incorrect.
2. No description on folder.
3. No zoning on folder.
4. No acreage on folder.
5. No election district on folder.
6. No councilmanic district on folder.
7. Plan is illegible.



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: **2213 BAUERNSCHMIDT** see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: **BAUERNSCHMIDT**

plat book # **12**, folio **18**, lot **9142** section **1**

OWNER: **ALBERT A. FISCHER** **97-380-A**

EXHIBIT

BAUERNSCHMIDT DRIVE

RIVERSIDE DRIVE

DRIVEWAY

LOT 91

LOT 92

LOT 93

LOT 94

LOT 95

LOT 96

LOT 97

LOT 98

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BALTIMORE COUNTY 97-380-A
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	BACK RIVER NECK	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	CAPE MAY ITEM # 380	1-J

IN RE: PETITION FOR ADMIN. VARIANCE
NE/Corner Bauernschmidt Drive
and Riverside Drive
(2213 Bauernschmidt Drive)
15th Election District
5th Councilmanic District
Albert A. Fischer, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-380-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 2213 Bauernschmidt Drive, located in the vicinity of Riverside Drive in Essex. The Petition was filed by the owners of the property, Albert A. and Brenda E. Fischer. The Petitioners seek relief from Section 1801.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 20 feet in lieu of the maximum permitted 15 feet for a proposed 30' x 30' garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the

B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.). Therefore, the relief granted herein shall be conditioned upon Petitioner's compliance with DEPRM's recommendations upon completion of their review.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of April, 1997 that the Petition for Administrative Variance seeking relief from Section 1801.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 20 feet in lieu of the maximum permitted 15 feet for a proposed 30' x 30' garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with any recommendations made by DEPRM upon completion of their review of this proposal.
- 3) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

- 2 -

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 9, 1997

Mr. & Mrs. Albert A. Fischer
2213 Bauernschmidt Drive
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/Corner Bauernschmidt Drive and Riverside Drive
(2213 Bauernschmidt Drive)
15th Election District - 5th Councilmanic District
Albert A. Fischer, et ux - Petitioners
Case No. 97-380-A

Dear Mr. & Mrs. Fischer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM
People's Counsel
Case File

UNDER RECEIVED FOR FILING

Date By

UNDER RECEIVED FOR FILING

Date By

UNDER RECEIVED FOR FILING

Date By

- 3 -



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 2213 Bauernschmidt Drive which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 15.01.01.01 to allow for a 20' high garage in lieu of the 15' allowed.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) the added elevation is to allow for a second floor for storage as the home does not have enough storage space.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Assignee
Type or Print Name
Signature
Address
City State Zipcode
Attorney for Petitioner:
Type or Print Name
Signature
Address
City State Zipcode
Name Address and phone number of representative to be contacted
Thomas E. Phelps & Assoc., Inc.
945 Barron Ave
Baltimore, Md. 21221
Phone No. (410) 574 5744

A Public Hearing has been requested and/or held to be requested. It is ordered that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

RECEIVED BY: RT
DATE: 3-11-97
ESTIMATED POSTING DATE: 3-23-97

ITEM # 380

CRITICAL AREA

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2213 Bauernschmidt Drive

Baltimore MD State 21221

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

We are requesting a variance to the height of the garage that is planned for our property due to the lack of storage space in our home. We are asking that the planned garage be allowed to be 20' high instead of 15' as allowed by county regulations.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

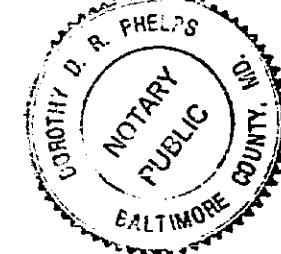
Albert A. Fischer
Signature
Type or Print Name
Address
City State Zipcode
2213 Bauernschmidt Drive
Baltimore, Md 21221

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 10 day of March, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared *Albert A. Fischer* and *Brenda E. Fischer*

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Mark 10, 1997



My Commission Expires: May 1, 1998

EXAMPLE 3. Zoning Description

97-380-A

ITEM 380
3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2213 BAUERNSCHMIDT DR,
(address)

Beginning at a point on the NORTH EAST COR side of
(north, south, east or west)

BAUERNSCHMIDT & RIVERSIDE DR, which is 50 FT
name of street on which property fronts (number of feet of right-of-way width)

wide at the distance of (number of feet) (north, south, east or west) of the

centerline of the nearest improved intersecting street (name of street)

which is (number of feet of right-of-way width) wide. *Being Lot # 91 & 92

Block F-- Section --, in the subdivision of (name of subdivision)

as recorded in Baltimore County Plat Book # 12, Folio # 81

containing 18,396 (square feet or acres). Also known as 2213 BAUERNSCHMIDT DR
(property address)

and located in the 15 Election District, 5 Councilmanic District.

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber, Folio --" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 03' E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

-13-

BALTIMORE COUNTY, MARYLAND		No. 028561	
OFFICE OF FINANCE - REVENUE DIVISION		97-380-A	
MISCELLANEOUS CASH RECEIPT		R-001-6150	
DATE: 3-11-97	ACCOUNT: R-001-6150		
C/O - ADM. VAR.		AMOUNT: \$ 50.00	
RECEIVED FROM: ALBERT FISCHER			
FOR: ADM. VAR. 2213 BAUERNSCHMIDT			
# 97-380-A		450.00	
RECEIVED FROM: ALBERT FISCHER			
DATE: 3-11-97			
BY: ALBERT FISCHER			



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

17-380-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 380 Petitioner: Albert Fischer
Location: 2213 Bauernschmidt Drive Baltimore Md 21221
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Albert Fischer
ADDRESS: 2213 Bauernschmidt Drive Baltimore, Md. 21221
PHONE NUMBER: 574 3067

CERTIFICATE OF POSTING

ADMIN. VAR.
RE: Case No.: 97-380-A
Petitioner/Developer: FISCHER, ETAL
TOM PHELPS, ETAL
Date of Hearing/Closing: 4/7/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #2213 BAUERNSCHMIDT DR.

The sign(s) were posted on 3/23/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

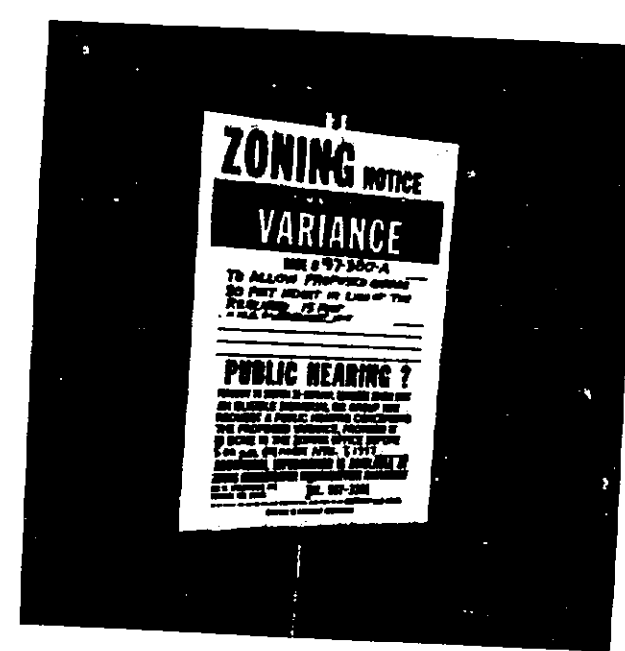
523 Penny Lane

(Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366 Pager (410) 646-8354
(Telephone Number)



#2213 BAUERNSCHMIDT DR.
ADMIN. - CASE 97-380-A
P. 3/23/97

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3-28-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-380 A

To allow proposed garage 20 FT. high
in lieu of the required 15 FT.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON
4-7-97

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-380-A

March 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-380-A
2213 Bauernschmidt Drive
NEC Bauernschmidt and Riverside Drive
15th Election District - 5th Councilmanic
Legal Owner(s): Albert A. Fischer and Brenda E. Fischer
Post by Date: 3/23/97
Closing Date: 04/07/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Arnold Jablon
Director

cc: Albert and Brenda Fischer
Thomas E. Phelps & Associates, Inc.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1997

Mr. and Mrs. Albert Fischer
2213 Bauernschmidt Drive
Baltimore, MD 21221

RE: Item No.: 380
Case No.: 97-380-A
Petitioner: Albert Fischer, et ux

Dear Mr. and Mrs. Fischer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 11, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Subanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards Jr.

W. Carl Richards Jr.
Zoning Supervisor

WCR/jc
Attachment(s)



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Subanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-21-97
Item No. 380 RT

Dear Ms. Subanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns
Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Individuals with Disabilities
1-800-735-2288
Mailing Address: P.O. Box 711, Baltimore, Maryland 21204
Street Address: 707 North Calvert Street, Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 21, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 378, 380, 381, 382, 383, 385, 386, 391, and 392

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey M. Long

Division Chief: Pat Keller

PK/JL

ITEMS 378/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 31, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 31, 1997
Item Nos. 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 & 391

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE331.NOC

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

March 31, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 24, 1997

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

380, 381, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392

REVIEWER: LT. ROBERT P. BAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File



PETITION PROBLEMS

97-380-A

#378 --- MJK

1. Sign form is incomplete/incorrect.

#379 --- JLL

1. Sign form is incomplete/incorrect.

#380 --- RT

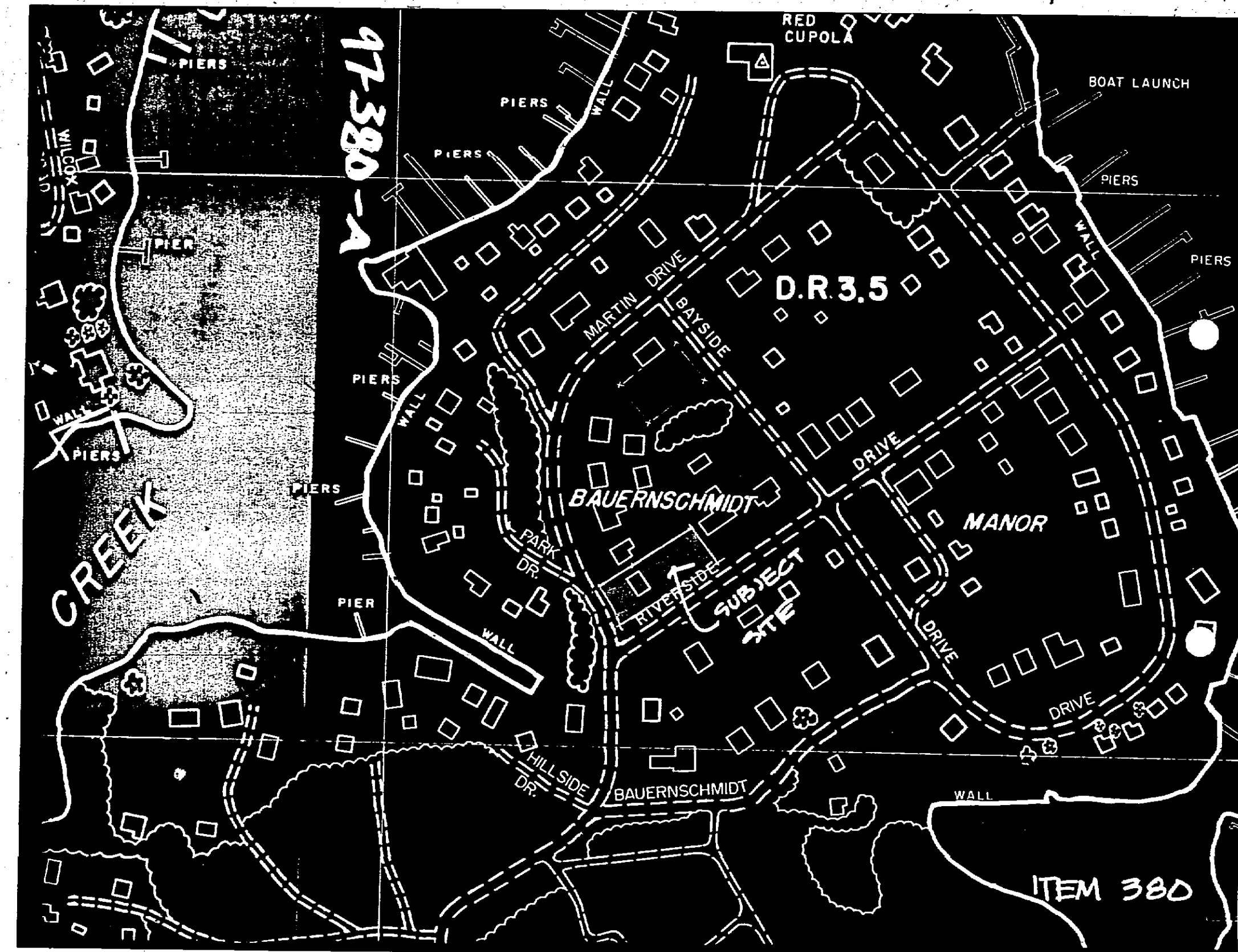
1. Folder says zoning is D.R.-3.5; petition says zoning is D.R.-5.5 - Which is correct?

#382 --- CAM

1. Need printed or typed title and authorization of person signing for legal owner.
2. Need printed name and title and authorization of person signing for contract purchaser.
3. No review information on bottom of petition form.

#385 --- MJK

1. Sign form is incomplete/incorrect.
2. No description on folder.
3. No zoning on folder.
4. No acreage on folder.
5. No election district on folder.
6. No councilmanic district on folder.
7. Plan is illegible.



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2213 BAUERNSCHMIDT

Subdivision name: BAUERNSCHMIDT

plat book # 12, folio 18, lot 942

OWNER: ALBERT A. FISCHER

97-380-A

BAUERNSCHMIDT DRIVE

RIVERSIDE DRIVE

Scale of Drawing: 1" = 40'

North arrow pointing up.

Prepared by: T.P.

LOCATION INFORMATION

Block in District: 15

Southwestern District: NE 1-J

1" = 400' scale map: DR 3.5

Lot size: 0.42 acreage square feet

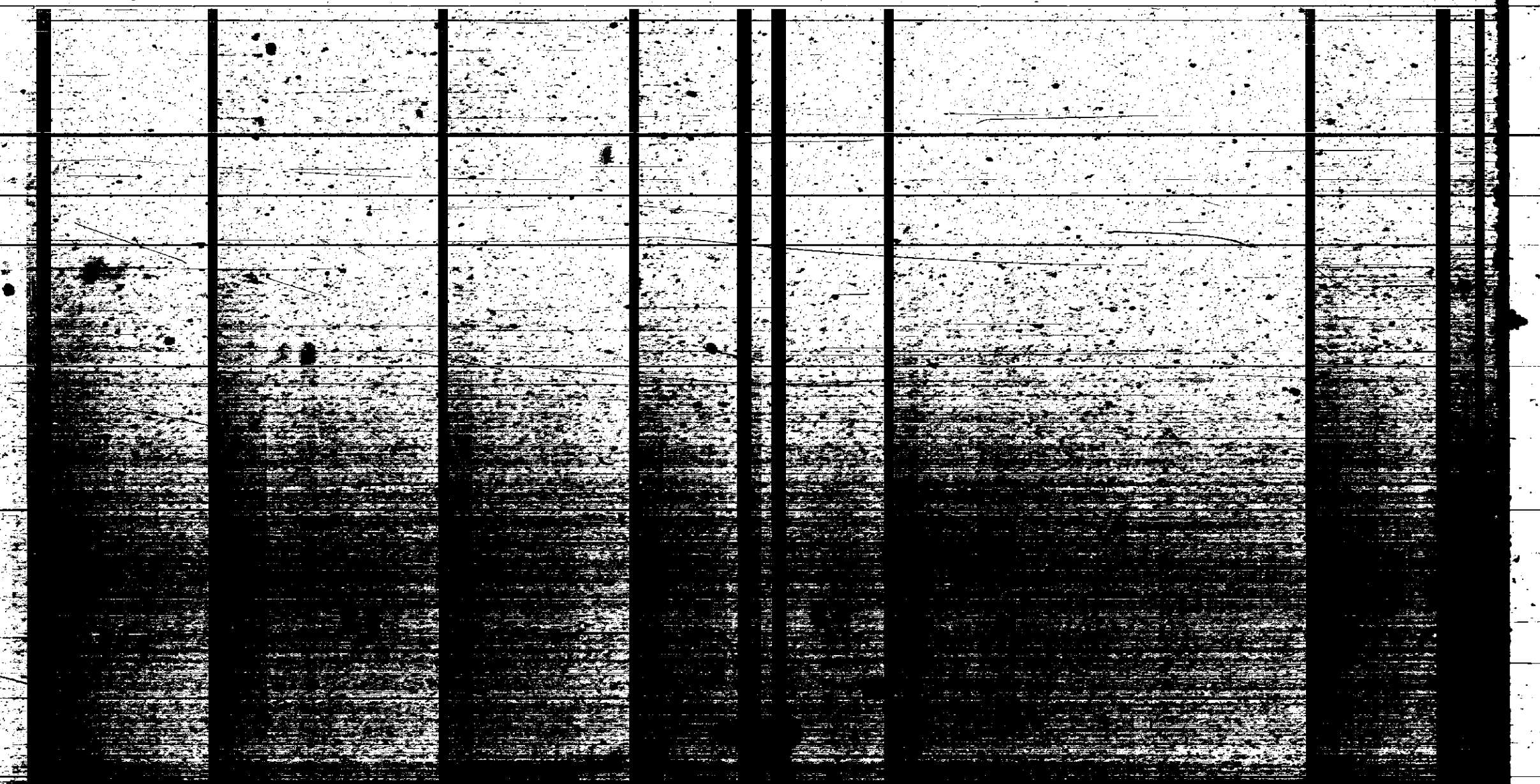
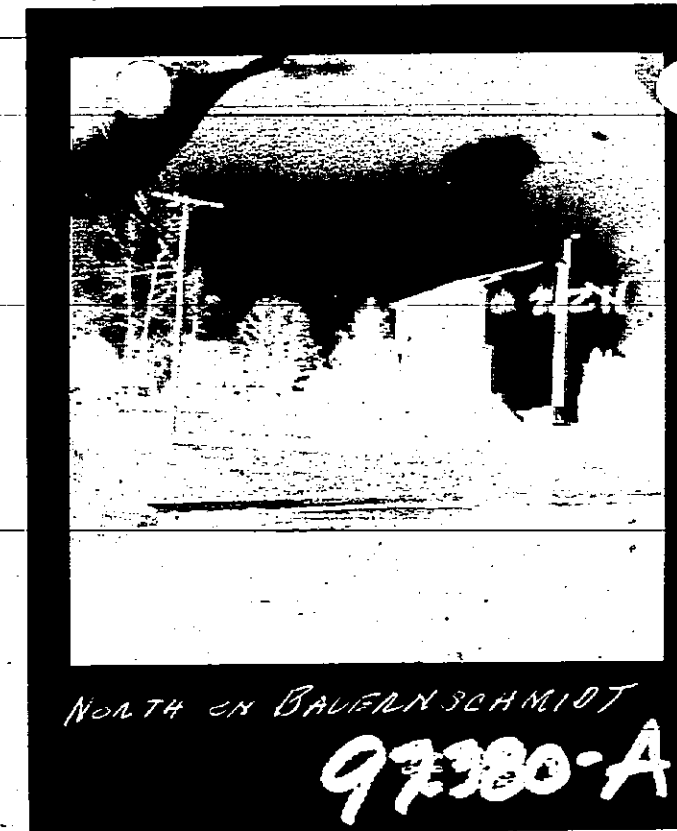
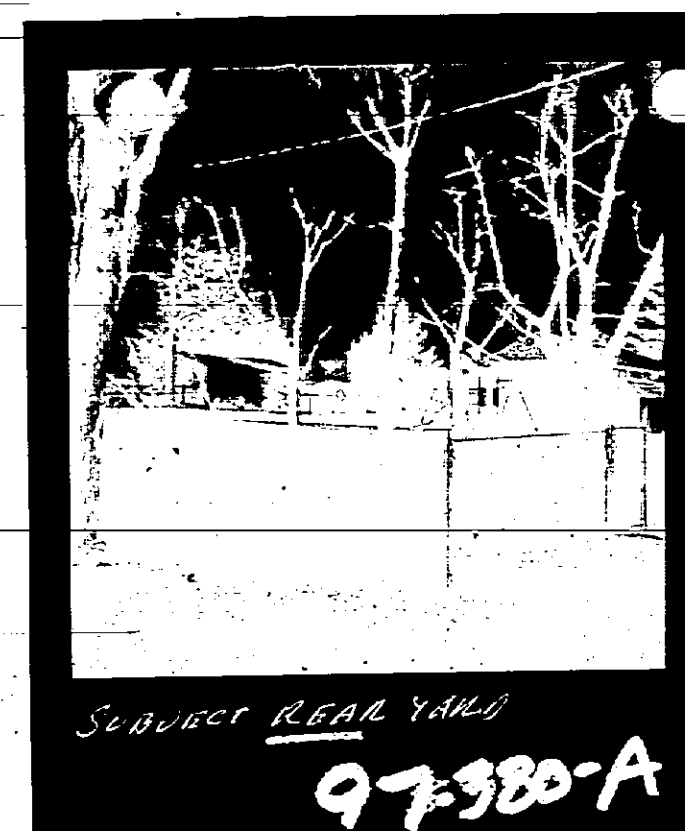
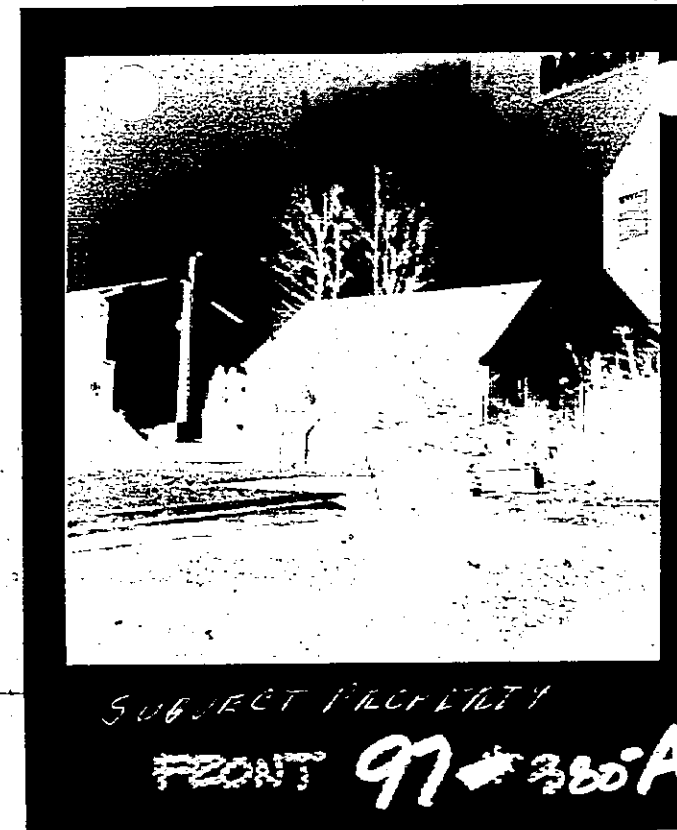
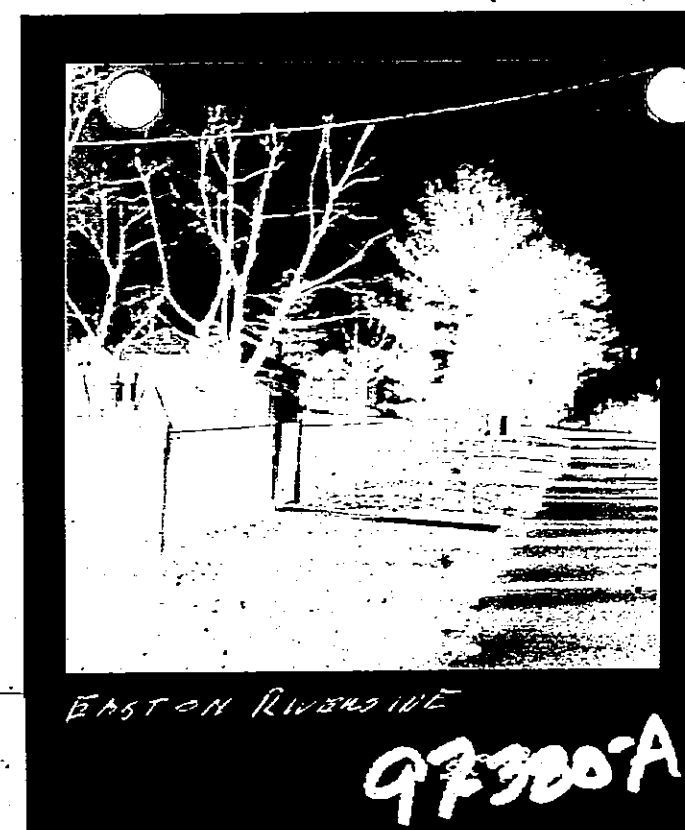
SEWER: ☒ WATER: ☒

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: RT ITEM #: 380 CASE #:





BALTIMORE COUNTY 97-380-A
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	BACK RIVER NECK	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	CAPE MAY ITEM # 380	1-J